

APR 24 2006

OFFICE OF PETITIONS



108A 2851

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:
RYOZO SETOGUCHI
Serial No.: 09/319,670
Filed: June 17, 1999
For: PARALLEL TYPE SHAPE
CREATION/SHAPE DISPLAY APPARATUS

Mail Stop: PETITION

PETITION TO REVIVE THE APPLICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant in the above-identified application hereby petitions the Commissioner to revive the application which has been deemed to be abandoned, and Applicant makes this petition based upon the facts below:

1. The above-identified patent application, U.S. Serial No. 09/319,670, was entered into the U.S. National Stage on June 17, 1999 based upon PCT/JP96/03599. As a proof of acceptance as a U.S. National Stage application, attached hereto is a reduced copy of the Acceptance of Application Under 35 U.S.C. 371 and 37 CFR 1.494 or 1.495.

2. On December 27, 1999, an Information Disclosure Statement was sent to the Patent Office with copies of the cited art; and this Information Disclosure Statement was duly received by the Patent Office on December 30, 1999 as seen from the attached copy of the returned postcard.

3. On January 25, 2001, a first Status Inquiry, along with a change of correspondence address, was sent to the Patent Office via First Class Mail; and these documents were received by the Patent Office on January 29, 1991 as seen from the attached copy of the return postcard.

4. In response to the January 24, 2001 Status Inquiry, the undersigned received via facsimile a notice from the Patent Office, showing that the expected date for action on this application "Mo. 1 Yr. 02," which can be meant "two years and one month" from the date of the notice or "the first month (January) of the year 2002". A copy of the notice is attached.

5. Since the undersigned did not receive any action from the Patent Office in January, 2002, the undersigned send a Second Status Inquiry on March 15, 2002. This Second Status

Inquiry was sent to the Patent Office by facsimile; and as is clear from the attached copy of the Communication Result Report printed out by the facsimile machine of the undersigned, the Second Status Inquiry was successfully transmitted to the Patent Office on March 15, 2002.

6. Since no response to our Second Status Inquiry or any action was sent from the Patent Office to the undersigned, a Third Status Inquiry was sent to the Patent Office by facsimile on January 14, 2003, a Fourth Status Inquiry, along with a Change of Correspondence Address of the undersigned to the current address, was facsimile-transmitted on June 13, 2005, and a Fifth Status Inquiry was further faxed to the Patent Office on February 22, 2006. All these facsimile transactions were made successfully as evidenced by the attached copies of the Communication Result Reports.

7. Since the undersigned still did not receive any communication from the Patent Office, the undersigned tried to access the Patent Office database, and the Patent Office website indicated, "Sorry, the entered Application Number "09319670" is not available."

8. Then, the undersigned called the Patent Office on April 13, 2006 and was able to speak with an officer of the Inventor Assistance Center, and the officer told the undersigned that the Patent Office records indicate that the application was abandoned on July 1, 2002.

9. Since the undersigned received no Office Action or Notice of Abandonment, the undersigned investigated this matter and searched the undersigned's office and then confirmed that the Office Action of, in view of the date of abandonment, January 1, 2002, or a New Year's Day Office Action, has never been received on the above-identified application by the undersigned, and therefore, no docketing has been made for this Office Action; and as a result, no recordation of the receipt of the January 1, 2002 Office Action was made on the file jacket of the above-identified application nor in the docket records. A copy (reduced copy) of the front cover of the file for the above-identified application and a copy of the docket record for April 1, and July 1, 2002 where a response to the non-received January 1, 2002 Office Action would have been entered had the office action been received and docketed are attached.

10. Though the undersigned relocated his office on September 25, 2000, a change of correspondence address was, as mentioned above, sent on January 25, 2001 to and received on January 29, 2001 by the Patent Office, the January 1, 2002 Office Action would have been safely received by the undersigned during the month of January, 2002 had it been mailed out to the changed and reported address, which was 2029 Century Park East, Suite 3850, Los Angeles, California. Therefore, the January 1, 2002 Office Action must have been lost in the mail. Since

the undersigned is unable to access to the records of the above-identified application, the undersigned is unable to see the Image File Wrapper of the Patent Application Information Retrieval and unable to determine which address the January 1, 2002 Office Action and the following Notice of Abandonment were sent by the Patent Office.

11. In view of the above, it is obvious that the January 1, 2002 Office Action was sent to a wrong address or lost in the mail and the undersigned did not receive the January 1, 2002 Office Action or the Notice of Abandonment; and thus the undersigned hereby states that it was not possible for Applicant to respond to the January 1, 2002 Office Action and a delay of such response (or non-response) was unavoidable or at least unintentional.

12. Accordingly, the undersigned hereby respectfully requests that the Patent Office withdraw the abandonment of the above-identified application, revive the application to bring it back to pending and send any office action (or resend the January 1, 2002 Office Action) to the undersigned at the address shown below (which has been previously reported to the Patent Office on June 13, 2005) immediately.

13. Though the petition fee is believed not to be required, if it is, please charge such to Koda & Androlia Deposit Account No. 11-1445.

The undersigned declares that all statements made herein are of my own knowledge and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

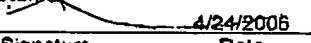
Respectfully submitted,

KODA & ANDROLIA

By: 

William L. Androlia
Reg. No. 27,177

2029 Century Park East, Suite 1140
Los Angeles, CA 90067-2983
Tel: (310) 277-1391
Fax: (310) 277-4118

Certificate of Transmission	
I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office Fax No. (571) 273-0025 on April 24, 2006.	
William L. Androlia	
Name	
	4/24/2006
Signature	Date

FAX RECEIVED

APR 24 2006

OFFICE OF PETITIONS

09/319670

UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: ASSISTANT COMMISSIONER FOR PATENTS
Washington, D.C. 20231

RECEIVED
5071

KODA & ANDROLIA
10100 SANTA MONICA BOULEVARD
SUITE 2340
LOS ANGELES CA 90067

INTERNATIONAL APPLICATION NO.
PCT/JP96/03599

I.A. FILING DATE 12/06/96 PRIORITY DATE 00/00/00

DATE MAILED: 08/02/99

U.S. APPLICATION NO. 09/319,670 FIRST NAMED APPLICANT SETSUUCHI R ATTY. DOCKET NO. 108A 2851 PC

**NOTIFICATION OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C. 371
AND 37 CFR 1.494 OR 1.495**

1. The applicant is hereby advised that the United States Patent and Trademark Office in its capacity as ☐ a Designated Office (37 CFR 1.494), ☒ an Elected Office (37 CFR 1.495), has determined that the above identified international application has met the requirements of 35 U.S.C. 371, and is **ACCEPTED** for national patentability examination in the United States Patent and Trademark Office.

2. The United States Application Number assigned to the application is shown above and the relevant dates are:

17 JUN 99
35 U.S.C. 102(e) DATE

17 JUN 99
DATE OF RECEIPT OF
35 U.S.C. 371 REQUIREMENTS

A Filing Receipt (PTO-103X) will be issued for the present application in due course. **THE DATE APPEARING ON THE FILING RECEIPT AS THE "FILING DATE" IS THE DATE ON WHICH THE LAST OF THE 35 U.S.C. 371(C) REQUIREMENTS HAS BEEN RECEIVED IN THE OFFICE. THIS DATE IS SHOWN ABOVE.** The filing date of the above identified application is the international filing date of the international application (Article 11(3) and 35 U.S.C. 363). Once the Filing Receipt has been received, send all correspondence to the Group Art Unit designated thereon.

3. ☒ A request for immediate examination under 35 U.S.C. 371(f) was received on 07 JUN 99 and the application will be examined in turn.

4. The following items have been received:

- ☒ U.S. Basic National Fee.
- ☒ Copy of the international application in:
 - ☒ a non-English language.
 - ☐ English.
- ☒ Translation of the international application into English.
- ☒ Oath or Declaration of inventor(s) for DO/EO/US.
- ☐ Copy of Article 19 amendments. ☐ Translation of Article 19 amendments into English.
The Article 19 amendments ☐ have ☐ have not been entered.
- ☒ The International Preliminary Examination Report in English and its Annexes, if any.
- ☒ Copy of the Annexes to the International Preliminary Examination Report (IPER).
 - ☒ Translation of Annexes to the IPER into English.
 - The Annexes ☒ have ☐ have not been entered.
- ☒ Preliminary amendment(s) filed 07 JUN 99 and _____
- ☐ Information Disclosure Statement(s) filed _____ and _____
- ☐ Assignment document.
- ☐ Power of Attorney and/or Change of Address.
- ☐ Substitute specification filed _____
- ☒ Statement Claiming Small Entity Status.
- ☐ Priority Document.
- ☒ Copy of the International Search Report ☒ and copies of the references cited therein.
- ☐ Other:

FAX RECEIVED

APR 24 2006

OFFICE OF PETITIONS

108A 2851 PCT KAWAKUBO
Inventor: RYOZO SETOGUCHI
Serial No. 09/319,670

For: PARALLEL PROCESSING DEVICE FOR GENERATING SHAPE
AND/OR DISPLAYING IMAGE



INFORMATION DISCLOSURE STATEMENT WITH MAILING CERTIFICATE, FORM PTO/SB/08A (2 SHEETS), AND COPIES OF FIVE (5) PRIOR ARTS.

JAN 05 2000

Sent to PO: December 27, 1999 KODA & ANDROLIA

FAX RECEIVED

APR 24 2006

OFFICE OF PETITIONS

108A 2851 PCT KAWAKUBO
Inventor(s): Ryozo Setoguchi
Serial No.: 09/319,670
Filed: June 17, 1999
For: PARALLEL TYPE SHAPE CREATION/SHAPE DISPLAY
APPARATUS



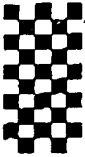
Status inquiry, change of correspondence address and certificate of
mailing

RECEIVED

Sent to PTO: 1/25/01

FEB 06 2001

KODA & ANDROLIA



FAX RECEIVED
APR 24 2006
OFFICE OF PETITIONS

UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Washington, D.C. 20231

Serial Number: 09/319670
Filing Date: 6/17/99

Group Art Unit: 2671
Attorney Reference: 108A2851 PCT

STATUS LETTER REPLY

REQUESTER: William Androlia

☒ Attorney of Record


☐ Not of Record Therefore the following status information is being released to the following ATTORNEY OF RECORD: _____

☐ Not of Record - Unfortunately, the status information can not be released because the requester is not of record. If this attorney should be of record, please forward additional changes to the Power of Attorney to the Customer Service Office.

STATUS INFORMATION

☒ Action by the examiner M. ZIMMERMAN
Expected date for action on this application
Mo. 1 Yr. 02

☐ Other (explain) _____


Customer Service Office
Technology Center 2100
(703) 306-5631

* * * COMMUNICATION RESULT REPORT (JAN. 14. 2003 9:49AM) * * *

FAX HEADER: KODA & ANDROLIA

TRANSMITTED/STORED : JAN. 14. 2003 9:44AM	FILE MODE	OPTION	ADDRESS	RESULT	PAGE
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REASON FOR ERROR
E-1) HANG UP OR LINE FAIL
E-3) NO ANSWERE-2) BUSY
E-4) NO FACSIMILE CONNECTION

108A 2851 PCT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

RYOZO SETOGUCHI

Serial No: 09/319,670

Filed: June 17, 1999

For: PARALLEL TYPE SHAPE
CREATION/SHAPE DISPLAY APPARATUS

Art Unit: 2671

Examiner: --

THIRD STATUS INQUIRYCommissioner for Patents
Washington, DC 20231


Dear Sir:

The above-identified patent application was filed on June 17, 1999. However, to date, no Office Action has been issued.

It is therefore respectfully requested that this matter be investigated and that the Patent Office advise the undersigned of the status as soon as possible.

Respectfully submitted,

KODA & ANDROLIA

By: 
William L. Androlia
Reg. No. 27,1772029 Century Park East
Suite 3850
Los Angeles, CA 90067-3024
Tel: (310) 277-1391
Fax: (310) 277-4118

Certificate of Transmission

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office Fax No. (703) 872-9314 on January 14, 2003.

William L. Androlia

Name

Signature

Date

108A 2851 PCT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

RYOZO SETOGUCHI

Serial No: 09/319,670

Filed: June 17, 1999

For: PARALLEL TYPE SHAPE
CREATION/SHAPE DISPLAY APPARATUS

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William L. Androlia

Name

Signature

1/14/2003
Date

* * * COMMUNICATION RESULT REPORT (JUN. 13. 2005 1:27PM) * * *

FAX HEADER: KODA & ANDROLIA

TRANSMITTED/STORED : JUN. 13. 2005 1:26PM

FILE MODE

OPTION

ADDRESS

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PAGE

636 MEMORY TX

US PATENT OFFICE

OK

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REASON FOR ERROR
E-1) HANG UP OR LINE FAIL
E-3) NO ANSWERE-2) BUSY
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108A 2851 PCT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

RYOZO SETOGUCHI

Serial No: 09/319,670

Filed: June 17, 1999

For: PARALLEL TYPE SHAPE
CREATION/SHAPE DISPLAY APPARATUS

Art Unit: 2671

Examiner: -

FOURTH STATUS INQUIRYCommissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

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Respectfully submitted,

KODA & ANDROLIA

By: 
William L. Androlia
Reg. No. 27,1772029 Century Park East
Suite 1140
Los Angeles, CA 90067-2983
Tel: (310) 277-1391
Fax: (310) 277-4118

Certificate of Transmission

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office Fax No. (703) 872-8314 on June 13, 2005.

William L. Androlia

Name

Signature

Date

108A 2851 PCT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

RYOZO SETOGUCHI

Serial No: 09/319,670

Filed: June 17, 1999

For: PARALLEL TYPE SHAPE
CREATION/SHAPE DISPLAY APPARATUS

Art Unit: 2671

Examiner: --

FOURTH STATUS INQUIRYCommissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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Reg. No. 27,1772029 Century Park East
Suite 1140
Los Angeles, CA 90067-2983
Tel: (310) 277-1391
Fax: (310) 277-4118

Certificate of Transmission

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office Fax No. (703) 872-9314 on June 13, 2005.

William L. Androlia

Name

Signature

6/13/2005
Date

* * * COMMUNICATION RESULT REPORT (JUN. 13. 2005 1:27PM) * * *

FAX HEADER: KODA & ANDROLIA

TRANSMITTED/STORED : JUN. 13. 2005 1:26PM
FILE MODE OPTION

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635 MEMORY TX

US PATENT OFFICE

OK

1/1

REASON FOR ERROR
E-1) HANG UP OR LINK FAIL
E-3) NO ANSWER

E-2) BUSY FACSIMILE CONNECTION

108A 2851 PCT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

RYOZO SETOGUCHI

Serial No: 09/319,670

Filed: June 17, 1999

For: PARALLEL TYPE SHAPE CREATION/SHAPE
DISPLAY APPARATUS

Art Unit: 2671

Examiner: --

CHANGE OF CORRESPONDENCE ADDRESS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Effective January 8, 2005, our office has relocated to the following address:

Koda & Androlia
2029 Century Park East
Suite 1140
Los Angeles, CA 90067-2983

Our telephone and fax numbers remain 310-277-1391 and 310-277-4118 respectively.

Accordingly, it is respectfully requested that the Patent Office change its records accordingly in connection with the above-identified application.

Respectfully submitted,
KODA & ANDROLIABy 
William L. Androlia
Reg. No. 27,1772029 Century Park East
Suite 1140
Los Angeles, CA 90067-2983
Tel: (310) 277-1391
Fax: (310) 277-4118

Certificate of Transmission

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office Fax No. (703) 872-8308 on June 13, 2005.

William L. Androlia

Name

Signature

6/13/2005

Date

108A 2851 PCT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

FAX RECEIVED

In re application of:

RYOZO SETOGUCHI

Serial No: 09/319,670

Filed: June 17, 1999

For: PARALLEL TYPE SHAPE CREATION/SHAPE
DISPLAY APPARATUS

Art Unit: 2671

Examiner: --

APR 24 2006

OFFICE OF PETITIONS

CHANGE OF CORRESPONDENCE ADDRESSCommissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

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Koda & Androlia
2029 Century Park East
Suite 1140
Los Angeles, CA 90067-2983

Our telephone and fax numbers remain 310-277-1391 and 310-277-4118 respectively.

Accordingly, it is respectfully requested that the Patent Office change its records
accordingly in connection with the above-identified application.

Respectfully submitted,

KODA & ANDROLIA

William L. Androlia
Reg. No. 27,1772029 Century Park East
Suite 1140
Los Angeles, CA 90067-2983
Tel: (310) 277-1391
Fax: (310) 277-4118

Certificate of Transmission

I hereby certify that this correspondence is being facsimile
transmitted to the Patent and Trademark Office Fax No. (703)
872-9306 on June 13, 2005.

William L. Androlia

Name

Signature

6/13/2005

Date

TRANSMISSION VERIFICATION REPORT

TIME : 02/22/2006 13:10
NAME : KODA ANDROLIA
FAX : 3102774118
TEL : 3102771391
SER. # : BROH5J329547

DATE, TIME
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108A 2851 PCT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

RYOZO SETOGUCHI

Serial No: 09/319,670

Filed: June 17, 1999

For: PARALLEL TYPE SHAPE
CREATION/SHAPE DISPLAY APPARATUS

Art Unit: 2671

Examiner: --

FIFTH STATUS INQUIRY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The above-identified patent application was filed on June 17, 1999, and status inquiries were transmitted by facsimile on January 25, 2001, March 15, 2002, January 14, 2003 and June 13, 2005. However, to date, no Office Action has been issued.

It is therefore respectfully requested that this matter be investigated and that the Patent Office advise the undersigned of the status as soon as possible.

Respectfully submitted,

USPTO 2/22/2006 4:09 PM PAGE 1/001 Fax Server
 TO: Auto-reply fax to 31027 118 COMPANY:

Auto-Reply Facsimile Transmission



TO: Fax Sender at 3102774118

Fax Information

Date Received:

2/22/2006 4:08:33 PM [Eastern Standard Time]

Total Pages:

1 (including cover page)

ADVISORY: This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMEP) section 306 et seq.

Received
Cover
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02/22/2006 13:18 3102774118 KODA ANDROLIA PAGE 01/01

108A 2851 PCT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Art Unit: 2671

RYOZO SETOGUCHI

Examiner: -

Serial No: D9/319,670

Filed: June 17, 1999

For: PARALLEL TYPE SHAPE
CREATION/SHAPE DISPLAY APPARATUS

FIFTH STATUS INQUIRY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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KODA & ANDROLIA

By:
William L. Androlia
Reg. No. 27,177

2029 Century Park East
Suite 1140
Los Angeles, CA 90067-2983
Tel: (310) 777-1391
Fax: (310) 777-4118

Certificate of Transmission

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office Fax No. (202) 272-2322 on February 22, 2006.

William L. Androlia
Date: 2/22/2006
Signature:

PAGE 01 * RCVD AT 2/22/2006 4:08:33 PM [Eastern Standard Time] * BY USPTO-FED-001 * DIAL 277-4118 * CSID 27774111 * DURATION 00:00:36

108A 2851 PCT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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APR 24 2006

OFFICE OF PETITIONS

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RYOZO SETOGUCHI

Serial No: 09/319,670

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Examiner: --

FIFTH STATUS INQUIRYCommissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

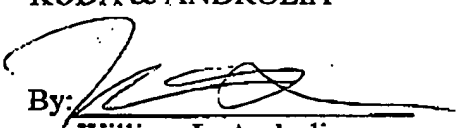
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KODA & ANDROLIA

By: 
William L. Androlia
Reg. No. 27,1772029 Century Park East
Suite 1140
Los Angeles, CA 90067-2983
Tel: (310) 277-1391
Fax: (310) 277-4118

Certificate of Transmission

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office Fax No. (571) 273-8300 on February 22, 2006.

William L. Androlia

Name

Signature

2/22/2006
Date

July 1 - 3

June 2002							July 2002						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
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Dental Appointment
 Name Wed
 Date 03 July
 Time 1:20
 AM/PM

April 1 - 3

March							2007							April							2007						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
					1	2	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21
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8:00 Carro 643	8:00 Yamamoto 3070 (6) (P) Appeal	8:00 Shikawa 3072 (5)
8:15 629 (3/1)	8:15 (allowed)	8:15 (3/28)
8:30	8:30	8:30
8:45	8:45	8:45
9:00 Chi 2942 (4) (P) Flu W/A	9:00 Holt 2905 (6) (P) Appeal	9:00
9:15 (AA 2126) (to be appeal) (3/21)	9:15 (CPA 4/17)	9:15
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10:00 Nakao 3000 RR (4) ext.	10:00 Fujita 3007 (3)	10:00
10:15 (ext)	10:15 (last 4/17) (3/27)	10:15
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11:00 Bill out	11:00 Kotto 3046 (5) (P)	11:00 Bill out →
11:15	11:15 (3/28) Flu W/A	11:15
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12:00 Dinner w/ rules	12:00	12:00
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